

## Department of Energy

## § 900.1

(2) Shipments made pursuant to international agreements for cooperation for mutual defense purposes; and

(3) Shipments necessary to respond to an emergency situation involving a possible threat to the national security.

(b) The Deputy Administrator for Defense Programs may authorize air shipments falling within paragraph (a)(1) of this section, on a case-by-case basis: *Provided*, That the Deputy Administrator for Defense Programs determines that such shipment is required to be made by aircraft either because:

(1) The delay resulting from using ground transportation methods would have serious adverse impact upon a national security requirement;

(2) Safeguards or safety considerations dictate the use of air transportation;

(3) The nature of the item to be shipped necessitates the use of air transportation in order to avoid possible damage which may be expected from other available transportation environments; or

(4) The nature of the item being shipped necessitates rapid shipment by air in order to preserve the chemical, physical, or isotopic properties of the item.

The Deputy Administrator for Defense Programs may also authorize air shipments falling within paragraph (a)(2) of this section in all cases since the inherent time delays of surface transportation for such shipments are considered unacceptable. The Deputy Administrator for Defense Programs may also authorize air shipments falling within paragraph (a)(3) of this section in cases where failure to make shipments by air could jeopardize the national security of the United States.

[42 FR 48332, Sept. 23, 1977, as amended at 71 FR 68734, Nov. 28, 2006]

### § 871.2 Public health and safety exemption.

The Deputy Administrator for Defense Programs may authorize, on a case-by-case basis, DOE air shipments of plutonium where the Deputy Administrator determines that rapid shipment by air is required to respond to an emergency situation involving possible loss of life, serious personal inju-

ries, considerable property damage, or other significant threat to the public health and safety.

[42 FR 48332, Sept. 23, 1977, as amended at 71 FR 68734, Nov. 28, 2006]

### § 871.3 Records.

Determinations made by the Deputy Administrator for Defense Programs pursuant to these rules shall be matters of record. Such authorizations shall be reported to the Administrator of the National Nuclear Security Administration within twenty-four hours after authorization is granted.

[42 FR 48332, Sept. 23, 1977, as amended at 71 FR 68734, Nov. 28, 2006]

### § 871.4 Limitation on redelegation of authority.

The authority delegated in this part may not be redelegated without the prior approval of the Administrator of the National Nuclear Security Administration.

[42 FR 48332, Sept. 23, 1977, as amended at 71 FR 68734, Nov. 28, 2006]

## PART 900—COORDINATION OF FEDERAL AUTHORIZATIONS FOR ELECTRIC TRANSMISSION FACILITIES

Sec.	
900.1	Purpose.
900.2	Applicability.
900.3	Definitions.
900.4	Pre-application mechanism.
900.5	Request for coordination.
900.6	Coordination of permitting and related environmental reviews.

AUTHORITY: 16 U.S.C. 824p(h).

SOURCE: 73 FR 54459, Sept. 19, 2008, unless otherwise noted.

### § 900.1 Purpose.

This part provides a process for the timely coordination of Federal authorizations for proposed transmission facilities pursuant to section 216(h) of the Federal Power Act (FPA). The regulations provide for the compilation of a single environmental review document in order to coordinate all permitting and environmental reviews required to be issued under Federal law. They also provide an opportunity for non-Federal entities to coordinate